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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,784	07/23/2001	Dale L. Bartholomew	50107-485	4891
32127	7590	09/28/2005	EXAMINER	
VERIZON CORPORATE SERVICES GROUP INC.			DUONG, DUC T	
C/O CHRISTIAN R. ANDERSEN			ART UNIT	
600 HIDDEN RIDGE DRIVE			PAPER NUMBER	
MAILCODE HQEO3H14			2663	
IRVING, TX 75038			DATE MAILED: 09/28/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/909,784

Applicant(s)

BARTHOLOMEW ET AL.

Examiner

Duc T. Duong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-25 and 39-41 is/are allowed.
- 6) ☒ Claim(s) 26,30 and 33 is/are rejected.
- 7) ☒ Claim(s) 27-29,31,32 and 34-38 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The declaration filed on March 20, 2001 under 37 CFR 1.131 is sufficient to overcome the Farris's reference.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 26, 30, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by McMullin et al (US Patent 5,809,128).

Regarding to claim 26, McMullin discloses an apparatus (fig. 1-2) for use in a telecommunications system having a plurality of diverse paths available (paths 52 and 54) for transporting a voice call, one of said paths (path 52) traversing at least a public switched telephone network PSTN having a local line 36 to a subscriber 28 receiving

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the voice call and a packet-switched data communication network, said apparatus comprising a server 50 comprising an interface for connection to the packet-switched data communication network (fig. 1-2 col. 5 lines 54-59), an interface for voice-call connection with the PSTN (fig. 1-2 col. 6 lines 60-64), and means for providing calling party identification information (ANI) for a calling party 44a to the PSTN based on calling party identification information ANI received via the packet-switched data communication network (fig. 1-2 col. 7 lines 43-49; the ANI is sent via the packet network from the calling party 44a to the server 50 by the proxy 38); whereby the calling party identification information (ANI) is received via a path 54 through the packet-switched data communication network and is conveyed to the called subscriber line 36 by the PSTN upon routing of the voice call (fig. 1-2 col. 7 lines 17-29).

Regarding to claims 30 and 33, McMullin discloses a method for providing caller identification information for a voice call, originating from a remote calling subscriber device 44a (fig. 1-2), to a called telephone subscriber 28 (fig. 1-2) comprising the steps of routing an initial voice call, originated by a calling party at the remote calling subscriber device 44a, through a packet switched data network to a gateway 50 that interfaces between the packet switched data network and a public switched telephone network PSTN (fig. 1-2 col. 7 lines 17-29); in response to said routing step, placing a subsequent telephone call from the gateway 50 through the PSTN to the called subscriber line 36 (fig. 1-2 col. 7 lines 43-49); linking the initial voice call at the gateway 50 with the subsequent telephone call (fig. 1-2 col. 7 lines 57-67); and transporting originating calling party identification information (ANI) from the gateway 50 through the

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PSTN to the called subscriber 28 while the called subscriber line 36 is in an on-hook condition (fig. 1-2 col. 7 lines 50-56).

Allowable Subject Matter

4. Claims 27-29, 31, 32, and 34-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Claims 20-25 and 39-41 are allowed.


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN


RICKY NGO
PRIMARY EXAMINER